

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE CHICAGO PAINTERS)	
AND DECORATORS PENSION FUND,)	
TRUSTEES OF THE CHICAGO PAINTERS)	
AND DECORATORS HEALTH AND)	
WELFARE FUND, TRUSTEES OF THE)	
CHICAGO PAINTERS AND DECORATORS)	
DEFERRED SAVINGS FUND, TRUSTEES OF)	
THE CHICAGO PAINTERS AND)	No. 12 C 172
DECORATORS APPRENTICESHIP FUND,)	
TRUSTEES OF THE CHICAGO PAINTERS)	
AND DECORATORS SCHOLARSHIP FUND,)	Judge Kendall
AND TRUSTEES OF THE CHICAGO)	
PAINTERS AND DECORATORS JOINT)	
COOPERATION TRUST FUND,)	Magistrate Denlow
)	
Plaintiffs,)	
)	
)	
)	
v.)	
)	
NIKOLAS PAINTING CONTRACTORS, INC.,)	
an Illinois corporation,)	
)	
Defendant.)	

MOTION FOR ORDER OF DEFAULT AND JUDGMENT IN SUM CERTAIN

Plaintiffs, by one of their attorneys, DONALD D. SCHWARTZ, JAMES R. ANDERSON, GREGORY W. HOSE and ARNOLD AND KADJAN, pursuant to F.R.C.P. 55, respectfully request this Honorable Court to enter an Order of Default as to liability and Judgment in favor of Plaintiffs and against Defendant, NIKOLAS PAINTING CONTRACTORS, INC., an Illinois corporation.

In support thereof, Plaintiffs state:

1. This case was filed on January 10, 2012.

2. Defendant was served with Summons and Complaint on January 17, 2012.
3. In excess of 20 days have expired since Service of Process, however, Defendant has failed to file an answer or otherwise plead.
4. Per the affidavit of Richard J. Wolf, an audit of Defendant demonstrated that Defendant owes Plaintiffs Trustees of the Chicago Painters and Decorators, et al, for the audit period April 1, 2010 through June 30, 2011 for \$166,696.84 in contributions, \$25,004.52 in liquidated damages, and \$1,620.00 audit costs for a total due of \$193,321.36. (Exhibit A)
5. Per the affidavit of Gregory W. Hosé, attorney for Plaintiffs in legal fees and expenses \$1,409.00 has been incurred in this suit. (Exhibit B)

WHEREFORE, Plaintiffs pray for:

1. An Order of Default against the Defendant.
2. Judgment be rendered in the amount of \$194,730.36 for Plaintiffs Trustees of the Chicago Painters and Decorators, et. al., and against defendant, NIKOLAS PAINTING CONTRACTORS, INC.

Respectfully submitted,

**TRUSTEES OF THE CHICAGO PAINTERS
AND DECORATORS PENSION FUND, et al.,**

By: s/Gregory W. Hosé
One of their Attorneys

Donald D. Schwartz
James R. Anderson
Gregory W. Hosé
ARNOLD AND KADJAN
203 N. LaSalle St., Ste. 1650
Chicago, IL 60601
312-236-0415 (phone)